

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ROBERT McCONNELL,

Petitioner,

V.

WILLIAM GITTERE, *et al.*,

Respondents.

Case No. 3:10-cv-00021-GMN-CSD

**ORDER GRANTING
MOTION FOR EXTENSION OF TIME
(ECF NO. 138)**

WILLIAM GITTERE, *et al.*,

Respondents.

In this capital habeas corpus action, the respondents filed a motion to dismiss on August 28, 2021 (ECF No. 122). The petitioner, Robert McConnell, represented by appointed counsel, filed an opposition to the motion to dismiss (ECF No. 128) and a motion for evidentiary hearing (ECF No. 130) on October 18, 2021. Then, after an initial 30-day period, a 58-day extension of time, and a 21-day extension of time, the respondents were due to file a reply in support of their motion to dismiss and a response to the motion for evidentiary hearing by February 4, 2022. See Order entered December 4, 2019 (ECF No. 91) (allowing 30 days for such filings); Order entered January 7, 2021 (ECF No. 134) (58-day extension); Order entered January 12, 2022 (ECF No. 136) (21-day extension).

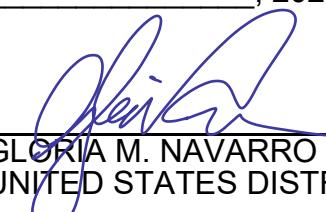
On February 2, 2022, Respondents filed a motion for extension of time (ECF Nos. 138), requesting a further 14-day extension of time, to February 18, 2022. Respondents' counsel states that the extension of time is necessary because of his obligations in other cases. McConnell does not oppose the motion for extension of time.

The Court finds that Respondents' motion for extension of time is made in good faith and not solely for the purpose of delay, and that there is good cause for the requested extension of time.

1 **IT IS THEREFORE ORDERED** that Respondents' Motion for an Enlargement
2 of Time (ECF No. 138) is **GRANTED**. Respondents will have until and including
3 **February 18, 2022**, to file their reply in support of their motion to dismiss and their
4 response to Petitioner's motion for evidentiary hearing.

5 **IT IS FURTHER ORDERED** that, in all other respects, the schedule for further
6 proceedings set forth in the order entered December 4, 2019 (ECF No. 91) will remain
7 in effect.

8 DATED THIS 3 day of February, 2022.

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11 GLORIA M. NAVARRO
12 UNITED STATES DISTRICT JUDGE